

REMARKS/ARGUMENTS:

Claims 1, 8, and 15 are amended. Claims 1-4, 8-10, 15, and 21-32 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

CLAIM OBJECTIONS:

Claims 1, 8, and 15 stand objected to because the phrase "as an etching mask" occurs twice at the end of the claim. In response, Applicant deleted the second occurrence of the phrase "as an etching mask." Withdrawal of this objection is thus respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

Claims 8-10, 15, 30, and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 2003-17725 of Inomata et al. Applicant respectfully traverses this rejection.

The present application takes priority under 35 U.S.C. § 119 from Japanese Patent Application No. 2002-249673, which was filed August 28, 2002; and Japanese Patent Application No. 2002-249674, which was filed August 28, 2002.

Since Applicant's priority dates predate Inomata's publication date of January 17, 2003, the rejection under § 103(a) based on Inomata can be overcome by perfecting Applicant's claim of priority. A claim of priority is perfected by filing a certified priority document, filing an English translation thereof if the document is not in English and after the Examiner establishes that the priority document satisfies the enablement and description requirements of 35 U.S.C. § 112, first paragraph. MPEP 706.02(b).

Appl. No. 10/648,429  
Amdt. Dated October 28, 2008  
Reply to Office Action of September 10, 2008

Attorney Docket No. 81872.0050  
Customer No.: 26021

Submitted herewith are certified English translations of the priority documents. Applicant respectfully submits that the submitted priority documents satisfy the enablement and description requirements of 35 U.S.C. § 112, first paragraph. As such, Applicant has perfected the claim of priority, and withdrawal of this rejection is thus respectfully requested.

ALLOWABLE SUBJECT MATTER:

Claims 1-4, 21-29, and 32 are allowed.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON LLP.

Date: October 28, 2008

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